

#### REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 3 and 4 have been cancelled, while claim 1 has been amended to include the limitations of cancelled claim 3. In addition, the claims have been amended for clarity. Finally, new claims 8-12 have been added and claim additional features of the invention.

The Examiner has rejected claims 1-7 under 35 U.S.C. 102(b) as being anticipated by UK Patent Application No. GB2037475A to Butz.

The Butz patent discloses a cartridge having a circular top cover (1) to which a removable bottom cover (2) is secured by a magnet latch (page 1, lines 122 - 124). A magnetic disk (9), as best shown in Fig. 3, is disposed within a housing formed by the top cover (1) and a protective cover (10) secured to a lower edge of a skirt (8) of cover (1) (page 2, lines 17 - 20). The disk (9) can be of a conventional construction utilizing an annular flat rigid plate of a nonmagnetic material such as aluminum that is coated on one or both sides with a magnetizable recording medium. The disk (9) is clamped between an annular clamp plate (11) and a disk hub (12) (page 2, lines 20-27). As can be seen in Figs. 2 and 3, only the clamp plate (11) and the hub (12) are fastened to the disk (9). The bottom cover (2) is provided with magnets (25) which are attracted to an armature plate (26) secured to the underside of hub (12).

Applicants submit that the complex structure of the Butz device has hardly any resemblance with the simple disc according to the invention. In particular, the Examiner indicates that the bottom cover corresponds to the protective plate as defined in claim 1, and that the magnets provide the magnetic fastening of the protective cover to the substrate layer as claimed in claim 1.

Applicants submit that the Examiner is mistaken. In particular, while the Butz arrangement has magnets 25 attached to the removable bottom cover 2 for closing the arrangement, Applicants submit that these magnets do not magnetically fasten the removable bottom cover 2 to the substrate layer, as specifically called for in claim 1. Rather, as indicated in Butz on page 1, lines 122-124, "The cartridge has a circular top cover 1 to which a removable bottom cover 2 is secured by a magnetic latch". Hence, the removable bottom cover is magnetically fastened to the circular top cover. In fact, the magnetic disk 9 of Butz, which arguably corresponds to the substrate layer of claim 1, is enclosed within a sub-container including the circular top cover 1, depending skirt 8 and protective cover 10 "secured to the lower edge of skirt 8" (page 2, lines 12-20).

Applicants therefore submit that Butz does not show or suggest a disc that is provided with a protective layer that is magnetically fastened to a substrate layer. Although, the disk in the cartridge of Butz is coated on one or both sides with a magnetizable recording medium, a person skilled in the art knows that applying a magnet, like the magnets (25), directly to this

coating will most probably result in a loss of data and furthermore he knows that this coating will be too thin to magnetically fasten a protective plate to the substrate layer of the disk.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by Butz, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1, 2 and 5-12, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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